



Patent  
Attorney's Docket No. 021238-469

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
)  
Gordon Herman BOKELMAN et al. ) Group Art Unit: 1731  
)  
Application No.: 10/060,347 ) Examiner: C. N. Lopez  
)  
Filed: February 1, 2002 ) Confirmation No.: 7641  
)  
For: APPARATUS AND METHOD FOR AIR )  
CURING TOBACCO )

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are \_\_\_\_\_.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.
- ☐ No additional claim fee is required.
- ☒ An additional claim fee is required, and is calculated as shown below:

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TC 1700 MAIL ROOM

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	23	MINUS 20 =	3	× \$18.00 (1202) =	54.00
Independent Claims	3	MINUS 3 =	0	× \$84.00 (1201) =	
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					54.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					54.00

☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

☒ Charge \$ 54.00 to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Peter K. Skiff  
Peter K. Skiff  
Registration No. 31,917

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Date: March 6, 2003

17314



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#6/BM  
3-12-03

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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In response to the restriction requirement set forth in the Official Action dated February 13, 2003, Applicants hereby elect, with traverse, the invention covered by Group I, Claims 1-14.

The restriction requirement is traversed on the basis that the search and examination of the invention covered by Claims 15-20 can be carried out without serious burden on the Examiner. That is, Claims 15 and 17 are directed to a method of air curing tobacco in a tobacco curing barn comprising an enclosure having the at least one vertically arranged air duct, the at least one in-line fan and the at least one operable and closeable opening comprising parts of the tobacco curing barn recited in Claim 1 (see amendments to Claims 1, 15 and 17 set forth in the Preliminary Amendment submitted concurrently herewith).

As set forth in MPEP §803, when an application may properly be required to be restricted to one of two or more claimed inventions, "[i]f the search and examination of an

entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." In the present case, it is submitted that the search and examination of the entire application can be made without serious burden since the features of the tobacco curing barn set forth in Claim 1 are also set forth in the methods of Claims 15 and 17.

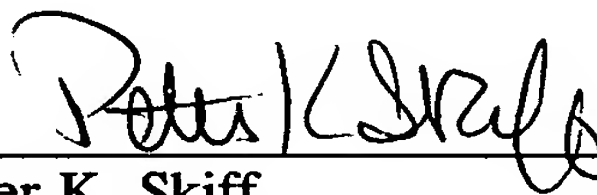
In view of the foregoing, early and favorable consideration on the merits is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By: \_\_\_\_\_



Peter K. Skiff

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#5-A/B/M  
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**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please replace Claims 1-15 and 17 and add new Claims 21-23 as follows:

1. (Amended) A tobacco curing barn, comprising:

an enclosure in which tobacco leaves and/or plants can be air cured;

at least one vertically arranged air duct, positioned in a central portion of said

enclosure, said at least one vertically arranged air duct enclosing at least one in-line fan

positioned in said at least one vertically arranged air duct;

at least one ventilating fan located in an upper portion of said enclosure; and

at least one openable and closeable opening in at least one side wall of said

enclosure.

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